2. Adjournment motion re: failure of Kole Crops.

President.— We shall now consider this adjournment motion of Mr. C. V. Kuriyan. I should like to have some information from you. The statement here alleges two facts. One is drought and the second is sad failure of crops. These are the two points this statement alleges.

Mr. C. V. Kuriyan.—Nothing more than that. I would like to bring to the notice of the House the extent of damages caused by drought.

President.—If the damage is considerable?

Mr. C. V. Kuriyan.—If the damages are great, I must explain the causes of the damage and the areas where damages have occurred.

President.—Those may be the facts that you are going to bring to the notice of the House on this adjournment motion. I may tell you, for your information, that an adjournment motion is really to bring to the notice of the House certain acts of commission or omission on the part of the Government. If the Government is guilty of any acts of commission or of omission in regard to certain duties imposed upon them, then this discussion will be to correct the ways of the Government, and if necessary, to censure it. All adjournment motions, if carried, have the effect of a censure. That is the way in which I understood adjournment motions. So that, I want to know whether you are impugning the conduct of any particular officer either in the discharge of his duties entrusted to him or in omitting to do the duties entrusted to him. Those are all the facts which should come under the adjournment motion. And then, you see, all our business will have to be suspended, because this is a great matter which must then and there be inquired into.

Mr. C. V. Kuriyan.—I do not think that an adjournment motion is to censure the Government. As a matter of fact, the adjournment motion is not intended to impugn the faults of the Government. It may be just to enlist the sympathy of the Government, to suggest certain remedial measures in the *kole* area, to ameliorate the condition of the ryots, and all that. It is only necessary that the matter under discussion should be one of urgent public importance.

President.—Can you cite any authorities to say that the adjournment motions are not in the way of censure motions?

Mr. C. V. Kuriyan.—Generally in Madras and the Parliament there is separate provision for censure motions. It is true there is no provision in our Standing Orders for censure. I do not think that adjournment motions should always be taken as censure motions.

LIBRARY ARCHIVES Kerala Legislative Assembly

President.—Are you sure that in the Parliament there are censure motions and adjournment motions as distinct motions?

Mr. C. V. Kuriyan.—Might be.

President.—All these are undisputed facts. It is not enough for you to say "might be." You must oppose me by saying that it is not correct.

Mr. C. V. Kuriyan.—My object is to enlist the sympathy of the Government and to suggest some remedial measure.

President.—I don't think that an adjournment motion can be moved for this purpose, namely, to enlist the sympathy of the Government.

Mr. C. V. Kuriyan.—Sir, I may tell you, for your information, that this matter has been urged in this Council times without number, and it is a matter touching not only my constituency but also of the Member for Mulakunnathukavu and the Member for Oorakam. The yield from the *kole* lands is sufficient to meet the requirements of the State for two months. It is a matter for the Government to enquire why there has been a failure. Now, if these things are going to continue, I beg to submit that the damage that will be caused to the *kole* cultivators will be such that it cannot even be imagined. It would be more fortunate, if the Government by one stroke of the pen had asked the *kole* cultivators not to undertake *kole* cultivation. I may also say that now-a-days *kole* cultivation has become a course. As a matter of fact, in the year 1093 M. E., there was a severe drought. I think this year's drought also is almost equal in its damage. At that time the Government were very much excited on account of the failure of the crops, and they at once gave a remission of taxation. This year also we have pressed for a remission of tax, and the Government have said that they will consider the request. I have also tabled a resolution on this subject, but the difficulty of it is that it will never come up for discussion. This is the only course open to me, and this is the only way in which I can bring this matter to the notice of the Government and the House to enlist their sympathy. Even though the havoc is so very great, the Government have not cared to look into the magnitude of the damage. I have got personal knowledge about these, and it is only to enlist the sympathy of the Government that I move this adjournment motion.

President.—Your purpose is already served by your present speech itself! There is no provision for moving an adjournment motion to enlist the sympathy of the Government. So, I must rule that this adjournment motion is not in order.

There is also another adjournment motion of Mr. T. A. Ramachandra Ayyar. I only received it just now when I came to the House. I may take some time to give my ruling. Will you

LIBRARY ARCHIVES Kerala Legislative Assembly

allow me to give my ruling to-morrow, Mr. Ramachandra Ayyar?

Mr. T. A. Ramachandra Ayyar.—Yes, Sir. To-morrow being the last day, I think that many Members may go by the evening train, and the House will be thin. If it will not cause any inconvenience to the Chair, I request that the ruling may be given after an hour, so that it may be taken up for discussion this evening itself.

3. Cochin Census Bill.

President.—The next item is the "Cochin Census Bill".

Mr. A. Sankara Menon.—Sir, I beg to move that the Cochin Census Bill be taken up and passed.

Mr. T. K. Krishna Menon.—I second it.

President.—The question before the House is that the "Cochin Census Bill" be finally passed by this House.

Question put and agreed to.

4. Cochin Kuri Bill (*contd.*)

President.—We shall proceed with the consideration of the Cochin Kuri Bill. The last speaker yesterday was Mr. C. J. Mathew.

Mr. C. J. Mathew.—Sir, I move that the Cochin Kuri Bill be re-committed to another committee consisting of two more Members. Before doing so, I would like to know whether such a procedure is permissible under the law.

President.—The point to be considered is whether it is to be re-committed to the original Select Committee or to a Select Committee which might be enlarged. The question is one of first impression.

Dr. A. G. Menon.—This has been done in the Madras Council, and Mr. Sankaran Unni was appointed to consider the Malabar Tenancy Bill.

President.—The Madras case is not a parallel to this. I think your motion will come under Standing Order No. 37, clause (2). Is this also not without limitation?

Mr. C. J. Mathew.—Sir, my object in moving for the re-committal is to enable another committee to consider all the amendments that are now tabled before the Council.

Mr. K. P. Kannan Nayar.—I think that the Hon'ble Member did not say that, viz., without limitation.

President.—Then Mr. Mathew may move an amendment

Mr. C. J. Mathew.—My amendment is that the Bill may be considered with regard to all the amendments.

President.—The rule is silent as to whether this should be re-committed to the original committee or not. But you know that, in the case of review petitions to set aside decrees, the review is decided by the same Judges who heard the appeal.

LIBRARY ARCHIVES Kerala Legislative Assembly